

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

IN RE

AIR CARGO SHIPPING SERVICES
ANTITRUST LITIGATION

MDL No. 1775

06-MD-1775 (JG) (VVP)

THIS DOCUMENT RELATES TO:
All Actions

**PLAINTIFFS' NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT WITH CARGOLUX AIRLINES INTERNATIONAL S.A.**

PLEASE TAKE NOTICE THAT, upon the Declaration of Howard J. Sedran in Support of Plaintiffs' Motion for Preliminary Approval of Settlement with Cargolux Airlines International S.A. ("Cargolux"), dated December 15, 2010, and the Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of Settlement with Cargolux, dated December 15, 2010, along with its supporting exhibits, and all other papers and proceedings herein, Plaintiffs will move this Court on a date and time to be set by the Court, before the Honorable John Gleeson, United States District Judge, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, pursuant to Rule 23 of the Federal Rules of Civil Procedure to enter an order:

- i. preliminarily approving the Settlement Agreement between Plaintiffs and Cargolux executed on December 9, 2010 (the "Cargolux Settlement Agreement"), on the grounds that its terms are sufficiently fair, reasonable, and adequate for notice to be issued to the settlement class;
- ii. certifying the settlement class as defined in the Cargolux Settlement Agreement for purposes of settlement only, pursuant to Federal Rule of Civil Procedure 23(c), and authorizing Plaintiffs to represent the settlement class;
- iii. ordering settlement class counsel to disseminate notice to the settlement class, upon submission at a later date of proposed notices and approval by the Court of the form of notice and the notice plan;
- iv. approving The Garden City Group as administrator of the settlement, and Citibank as escrow agent; and
- v. granting such other and further relief as may be appropriate.

Oral argument, if any, on this motion will be held on a date and time set by the Court.

Dated: December 15, 2010

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